

REMARKS

This Response is prepared in response to the first Office action mailed on 20 June 2005 (Paper No. 20050616). Claims 1-20 are pending.

In Paper No. 20050616, the Examiner rejected claims 1-3, 5, 6 and 8-20 under 35 U.S.C. 102 (b) as being anticipated by USP 6,104,451 to Matsuoka et al. In Paper No. 20050616, the Examiner also rejected claims 4 and 7 under 35 U.S.C. 103 (a) as being unpatentable over Matsuoka '451. Applicant traverses these rejections.

Applicant claimed invention is about a chassis that supports a display panel and has heat generating circuit parts thereon. At the top of the chassis is a flange perforated by holes to allow hot air produced by the circuit parts to more easily rise out from the flange instead of having to go around the flange to later escape from the chassis.

In Paper No. 20050616, the Examiner equates reference numeral 200 of Matsuoka '451 to Applicant's chassis, reference numeral 221 of Matsuoka '451 to Applicant's base of the chassis and reference numeral 230 of Matsuoka '451 to Applicant's flange perforated by holes. Applicant disagrees.

Applicant submits that reference numeral 230 of Matsuoak '451 cannot read on Applicant's flange. A flange is defined as a projecting rim or collar on a wheel, pipe or rail.

See Webster's New World Dictionary of American English, third college edition 1988. In another dictionary, a flange is defined as a rim or edge projecting at right angles to provide strength or means of attachment to another part. See Webster's Third New International Dictionary unabridged 1986.

Applicant is also filing an IDS form 1449 citing these two dictionaries as references and entering them into the file wrapper by this response.

Applicant submits that third enclosure 230 of Matsuoka '451, as well as the upper portion of third enclosure 230 of Matsuoka '451 can not be a flange of chassis 200 of Matsuoka '451. This is because third enclosure 230 as well as upper portion of third enclosure 230 of Matsuoka '451, where the apertures are, are not formed on any edge, rim or collar of any part, and are not formed on an edge, rim, or collar of chassis 200 or of wideplanar portion 221. Because the apertures in upper portion of third enclosure 230 of Matsuoka '451 cannot be a flange, Applicant submits that the rejection of each of Applicant's 20 claims is entirely without merit.

In Applicant's independent claims 1 and 14, Applicant claims that Applicant's perforated flange is adapted to prevent the base of the chassis from bending. Applicant submits that third enclosure 230 of Matsuoka '451 does not serve to prevent wideplanar portion 221 or chassis 200 from bending. Furthermore, Applicant submits that the Examiner

never considered this limitation in Paper No. 20050616. Therefore, the claim rejections of Paper No. 20050616 must be withdrawn.

Regarding Applicant's claim 9, Applicant claims that the flange is essentially perpendicular to the base of the chassis. In Paper No. 20050616, the Examiner states that "the flange (upper portion of 230) on the chassis (200) being essentially perpendicular to the base of the chassis (221)..." Applicant disagrees. Applicant has carefully reviewed Matsuoka '451 and cannot find any support for this assertion by the Examiner. Instead, Applicant submits that FIG. 1 of Matsuoka '451 clearly shows third enclosure 230 being almost parallel to and not perpendicular to base 221. And, where the apertures are formed (at the upper portion of third enclosure 230) the upper portion of third enclosure 230 runs parallel to wideplanar portion 221, which is an up and down direction in FIG. 1 of Matsuoka '451. Therefore, Applicant submits that the rejection to Applicant's claim 9 is also without merit.

Regarding claim 18, Applicant claims that the apertures in the flange are elliptically shaped. In Paper No. 20050616, the Examiner states, in the rejection of claim 18, that FIG. 8 of Matsuoka '451 shows the apertures, in the upper portion of third enclosure 230, as being elliptical. Applicant disagrees.

Applicant submits that FIG. 8 of Matsuoka '451 shows the apertures in the upper

portion of third enclosure 230 as being circular, not elliptical. Further, Applicant submits that no where in the reference of Matsuoka '451 does it disclose that the apertures may be elliptical. Therefore, Applicant submits that there is no teaching or suggestion of elliptical apertures in Matsuoka '451 as alleged by the Examiner. Therefore, the rejection of claim 18 must be withdrawn.

Regarding claim 19, Applicant claims a reinforcing rib attached to an end of the flange opposite the base. In Paper No. 20050616, the Examiner states, in the rejection of claim 19, that "Matsuoka teaches wherein the chassis further comprising a reinforcing rib (222) attached to an end of the flange (the rib 222 is attached to the an end of the flange 230 through the base 221, se FIG. 1) opposite the base (the rib is on an opposite side of the base from the flange, see FIG. 2),..." Applicant submits that this statement by the Examiner is a misstatement of Applicant's invention and shows that the Examiner does not understand Applicant's claimed invention. Applicant is claiming in claim 19 that the reinforcing rib is attached to a side of the flange opposite from the base. In the rejection of claim 19 in Paper No. 20050616, the Examiner states that the rib 222 is attached to an opposite side of the base than where the flange is attached. This is not what Applicant is claiming.

Further, Applicant submits that Matsuoka '451 does not teach this feature of Applicant's claim 19. There is no teaching in Matsuoka '451 of a reinforcing rib located attached to third enclosure 230, and certainly not on a side of third enclosure 230 that is

opposite from the base 221. Therefore, the rejection of claim 19 must be withdrawn.

Regarding claim 4, Applicant claims that the holes in the flange are rectangular in shape. In Paper No. 20050616, the Examiner never states that Matsuoka '451 teaches rectangular holes, but instead cites *In re Dailey*, 357 F.2d 669, 149 USPQ 47 (CCPA 1966) and states that a change in shape of a prior art device is a design consideration and is thus not patentable. Applicant has reviewed *In re Dailey* and cannot find any such ruling that a change in shape is not a patentable difference. Instead, *In re Dailey* denies a patent because a slit in the nipple was considered a design modification.

Furthermore, Applicant submits that changing a shape of a hole from circular to rectangular is not a mere matter of design choice. In paragraph 0024 of Applicant's specification, Applicant states that a rectangular hole in the flange is more apt to deform the flange due to the sharp corners of the flange. This consideration is not present in Matsuoka '451. This may be because Matsuoka '451, unlike Applicant's invention, does not perforate a flange that is used to prevent the base from bending. Because of this reasoning, Applicant submits that employing rectangular instead of other shaped holes is more than a mere design choice. Therefore, the rejection of claim 19 must be withdrawn.

In view of the above, it is submitted that all of the claims now present in the application are patentable over the cited references, taken either alone or combination and accordingly should now be in a conditions suitable for allowance.

No other issues remaining, reconsideration and favorable action upon all of the claims now present in the application is respectfully requested.

No fee is incurred by this Response.

Respectfully submitted,



Robert E. Bushnell,
Attorney for the Applicant
Registration No.: 27,774

1522 "K" Street N.W., Suite 300
Washington, D.C. 20005
(202) 408-9040

Folio: P57046
Date: 8/31/05
I.D.: REB/ML